

**NOTICE OF INTENT TO ADOPT AMENDMENTS TO THE STATE
LICENSING BOARD FOR RESIDENTIAL AND GENERAL CONTRACTORS,
CHAPTER 553-11 *CHANGES IN STATUS*,
RULE 553-11-.01 *CHANGES IN STATUS WHICH MUST BE REPORTED*
AND NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the State Licensing Board for Residential and General Contractors, (hereinafter "Board") proposes to adopt amendments to the rule for the State Licensing Board for Residential and General Contractors, Rule 553-11-.01 *Changes in Status Which Must be Reported*. (hereinafter "proposed amended rule").

This notice, together with an exact copy of the proposed amended rule and a synopsis of the proposed amended rule, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed amended rule, and a synopsis of the proposed amended rule may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's web page at www.sos.ga.gov/plb/contractors. Copies may also be requested by contacting the Board's office at 478-207-2440.

A public hearing is scheduled to begin at 9:00 a.m. on February 20, 2013 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed amended rule. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before February 20, 2012 . Written comments should be addressed to Lisa Durden, Division Director, Secretary of State, Professional Licensing Boards Division, State Licensing Board for Residential and General Contractors, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-314-5805.

The proposed amended rule will be considered for adoption by the Board at its meeting scheduled to begin at 9:05 a.m. on February 16, 2013, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the State Licensing Board for Residential and General Contractors has the authority to add this new rule pursuant to authority contained in O.C.G.A §§ 43-41-5, 43-41-6 and 43-41-9.

At its meeting on June 06, 2012, the Board voted that the formulation and adoption of this new rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 43-41-5, 43-41-6 and 43-41-9. Also, at its meeting on June 06, 2012 the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A §§ 43-41-5, 43-41-6 and 43-41-9 to adopt or implement differing actions for businesses as listed at O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of residential and general contracting.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 8th of day of November, 2012.

Lisa Durden
Division Director
Professional Licensing Boards
Posted: November 8, 2012

SYNOPSIS AND DIFFERENCES OF THE PROPOSED RULE OF THE STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL CONTRACTORS,

PURPOSE: The purpose of this amendment is to change the requirements for applying for licensure by prior approval.

MAIN FEATURES: The main feature of this proposed amendment is to eliminate the time period for general contractors to apply for licensure by prior approval and change from 120 days to 1 year, this requirement for Residential Contractors and Residential-Light Commercial Contractors.

553-11-.01 Changes in Status Which Must Be Reported.

(1) A licensee shall report to the Board in writing the following occurrences:

(a) A change in address or location.

1. A change in mailing address or physical location for the individual or Qualifying Agent must be made in writing or online within 30 days of the change.

2. A change in mailing address or physical location for the business organization must be made in writing or online within 45 days of the change.

3. If a duplicate pocket card is desired, a form available online must be submitted along with a fee.

(b) A change in the name of the business organization.

1. Notification must include evidence of the new name registered with the Secretary of State's office, if applicable.

2. If a duplicate pocket card is desired, a form available online must be submitted along with a fee.

3. This notification must occur within 45 days of the change.

(c) A change in the business organization's structure.

1. If a business organization's structure changes (e.g., ABC, Inc. to ABC, LLC), this is not considered a name change.

2. To license the new business organization, a previously qualified Qualifying Agent may apply for licensure by prior approval by submitting the appropriate form, available online, and fee.

3. This notification must occur within 45 days of the change.

(d) A change in an individual's or qualifying agent's name.

1. Notification must include copies of legal name change documents (e.g. divorce decree, marriage license, etc.)

2. If a duplicate pocket card is desired, a form, available online, must be submitted along with a fee.

3. This notification must occur within 30 days of the change.

(e) A change in the Qualify Agent affiliation with a business organization.

1. Notification that a Qualifying Agent is no longer affiliated with a business organization must be reported by the Qualifying Agent within 30 days of disaffiliation.

2. Notification that a Qualifying Agent is no longer affiliated with a business organization must be reported by an officer or an owner of the company within 45 days of disaffiliation.

3. A Qualifying Agent license will have the status of "null and void" upon the Board's receipt of such notice.

4. A Residential-Basic or Residential-Light Commercial Qualifying Agent will have ~~120 days~~ 1 year from the date of disaffiliation to submit an application for licensure by prior approval with the appropriate fee.

5. A business organization will have 120 days from the date of disaffiliation to submit an application for another Qualifying Agent, unless the business organization has another Qualifying Agent.

6. A Residential-Basic or Residential-Light Commercial Qualifying Agent who leaves a business organization and does not submit a prior approval application within ~~120 days~~ 1 year of disaffiliation must re-apply for licensure by examination. Exam scores that are less than two years old at the time of application may be used to meet the examination requirement.

However, application for licensure is still required.